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FBI-DOJ Marriot Court 4
11/22/2021 09:17:53

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PHILLIP MAHE TAUFA,
Defendant.

INDICTMENT

Count I: 18 U.S.C. § 922(a)(1)(A),
Dealing in Firearms Without a License;
Count II: 18 U.S.C. § 922(g)(3), Drug
User in Possession of Firearms and
Ammunition;
Count III: 21 U.S.C. § 841(a)(1),
Possession of Marijuana with Intent to
Distribute;
Count IV: 18 U.S.C. § 924(c)(1)(A),
Possession of Firearms in Furtherance of
a Drug Trafficking Crime;
Count V: 21 U.S.C. § 843(b), Use of
U.S. Mail in Furtherance of a Drug
Trafficking Crime;
Counts VI and VII: 18 U.S.C. §
922(a)(6), False Statements During
Acquisition of Firearms.

The Grand Jury Charges:

Case: 2:21-cr-00494
Assigned To : Barlow, David
Assign. Date : 11/22/2021

COUNT I
18 U.S.C. § 922(a)(1)(A)
(Dealing in Firearms Without a License)

Beginning on a date unknown, but not later than February 2021 and continuing through November 9, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in firearms, all in violation of 18 U.S.C. §§ 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT II

18 U.S.C. § 922(g)(3)
(Drug User in Possession of Firearms and Ammunition)

On or about November 9, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, knowing he is a user of and addicted to a controlled substance, to wit: marijuana, did knowingly possess firearms and ammunition:

- Springfield Armory Saint 5.56x45mm rifle, s/n ST122016
- CBC 715T .22 rifle, s/n LB3348276
- KOFS Cavalry 12-gauge shotgun, s/n 16010478
- Smith & Wesson M&P 40 .40 caliber pistol, s/n HSS2467
- Ruger SP101 .357 revolver, s/n 575-26402
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KHV4333
- Masterpiece Arms 5.7x28mm rifle, s/n V6021
- Glock 22 Gen5 .40 caliber pistol, s/n BSRD512
- Ruger PC Charger 9mm pistol, s/n 913-35346
- Ruger Ruger-57 5.7 caliber pistol, s/n 642-25203
- Sun City Machinery Co. Stevens 301 20-gauge shotgun, s/n 171356C
- Marlin Firearms Co. 60SB .22 rifle, s/n MN 51007A
- Rossi M62 SAC .22 rifle, s/n G517838
- Marlin Firearms Co. 49 .22 rifle, s/n AC10878
- Davidson Defense DD-15 5.56x45mm pistol, A001408
- Springfield Armory Saint Victor 5.56x45mm pistol, s/n ST408659
- F.N. Five-Seven 5.7 caliber pistol, s/n 386400698

- Smith & Wesson SD40 .40 caliber pistol, s/n FCZ8244
- Taurus GX4 9mm pistol, s/n 1GA24377
- Ruger LCP .380 caliber pistol, s/n 379006038
- Ruger LCP Max .380 caliber pistol, s/n 380929272
- Taurus G3C 9mm pistol, s/n ACD774314
- Ruger LCP Max .380 caliber pistol, s/n 380935590
- Ruger LCP II .380 caliber pistol, s/n 380653549
- Glock 27 Gen5 .40 caliber pistol, s/n AFPP004
- Glock 42 .380 caliber pistol, s/n AAWM482
- Glock 42 .380 caliber pistol, s/n AFKV848
- Keltec P3AT .380 caliber pistol, s/n KKL01
- Taurus Spectrum .380 caliber pistol, s/n 1J005386
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KFH9734
- Ruger LCP Max .380 caliber pistol, s/n 380915516
- Ruger LCP II .380 caliber pistol, s/n 380630774
- Ruger LCP Max .380 caliber pistol, s/n 380935584
- Taurus PT738 TCP .380 caliber pistol, s/n 29794C
- Taurus GX4 9mm pistol, s/n 1GA07908
- Ruger LCP .380 caliber pistol, s/n 372375342
- Taurus Spectrum .380 caliber pistol, s/n 1F034067
- Taurus PT709 Slim 9mm pistol, s/n THM71288
- Armscor BBR 3.10 .45 caliber pistol, s/n RIA2377550
- Charter Arms Panther .38 caliber revolver, s/n 10-12147
- CZ P-09 9mm pistol, s/n B932116
- Glock 42 .380 caliber pistol, s/n AFRY993
- Ruger LCP .380 caliber pistol, s/n 371019612
- Ammunition

and the firearms and ammunition were in and affecting commerce, all in violation of 18 U.S.C. § 922(g)(3).

COUNT III
21 U.S.C. § 841(a)(1)
(Possession of Marijuana with Intent to Distribute)

On or about November 9, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I controlled substance within the meaning of 21 U.S.C. § 812, all in violation of 21 U.S.C. § 841(a)(1) and punishable pursuant to 21 U.S.C. § 841(b)(1)(D).

COUNT IV

18 U.S.C. § 924(c)(1)(A)

(Possession of Firearms in Furtherance of a Drug Trafficking Crime)

On or about November 9, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, did knowingly possess firearms:

- Springfield Armory Saint 5.56x45mm rifle, s/n ST122016
- CBC 715T .22 rifle, s/n LB3348276
- KOFS Cavalry 12-gauge shotgun, s/n 16010478
- Smith & Wesson M&P 40 .40 caliber pistol, s/n HSS2467
- Ruger SP101 .357 revolver, s/n 575-26402
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KHV4333
- Masterpiece Arms 5.7x28mm rifle, s/n V6021
- Glock 22 Gen5 .40 caliber pistol, s/n BSRD512
- Ruger PC Charger 9mm pistol, s/n 913-35346
- Ruger Ruger-57 5.7 caliber pistol, s/n 642-25203
- Sun City Machinery Co. Stevens 301 20-gauge shotgun, s/n 171356C
- Marlin Firearms Co. 60SB .22 rifle, s/n MN 51007A
- Rossi M62 SAC .22 rifle, s/n G517838
- Marlin Firearms Co. 49 .22 rifle, s/n AC10878
- Davidson Defense DD-15 5.56x45mm pistol, A001408
- Springfield Armory Saint Victor 5.56x45mm pistol, s/n ST408659
- F.N. Five-Seven 5.7 caliber pistol, s/n 386400698
- Smith & Wesson SD40 .40 caliber pistol, s/n FCZ8244
- Taurus GX4 9mm pistol, s/n 1GA24377
- Ruger LCP .380 caliber pistol, s/n 379006038
- Ruger LCP Max .380 caliber pistol, s/n 380929272
- Taurus G3C 9mm pistol, s/n ACD774314
- Ruger LCP Max .380 caliber pistol, s/n 380935590
- Ruger LCP II .380 caliber pistol, s/n 380653549

- Glock 27 Gen5 .40 caliber pistol, s/n AFPP004
- Glock 42 .380 caliber pistol, s/n AAWM482
- Glock 42 .380 caliber pistol, s/n AFKV848
- Keltec P3AT .380 caliber pistol, s/n KKL01
- Taurus Spectrum .380 caliber pistol, s/n 1J005386
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KFH9734
- Ruger LCP Max .380 caliber pistol, s/n 380915516
- Ruger LCP II .380 caliber pistol, s/n 380630774
- Ruger LCP Max .380 caliber pistol, s/n 380935584
- Taurus PT738 TCP .380 caliber pistol, s/n 29794C
- Taurus GX4 9mm pistol, s/n 1GA07908
- Ruger LCP .380 caliber pistol, s/n 372375342
- Taurus Spectrum .380 caliber pistol, s/n 1F034067
- Taurus PT709 Slim 9mm pistol, s/n THM71288
- Armscor BBR 3.10 .45 caliber pistol, s/n RIA2377550
- Charter Arms Panther .38 caliber revolver, s/n 10-12147
- CZ P-09 9mm pistol, s/n B932116
- Glock 42 .380 caliber pistol, s/n AFRY993
- Ruger LCP .380 caliber pistol, s/n 371019612

in furtherance of a drug trafficking crime, to wit: Possession of Marijuana with Intent to Distribute, a violation of 21 U.S.C. § 841(a)(1), as alleged in Count III of this Indictment, which Count is incorporated by reference herein; all in violation of 18 U.S.C. § 924(c)(1)(A).

COUNT V
21 U.S.C. § 843(b)
(Use of the U.S. Mail in Furtherance of a Drug Trafficking Crime)

Beginning on or about October 18, 2021 and continuing through November 9, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, did knowingly and intentionally use any communication facility, that is the U.S. Mail, in facilitating a felony drug trafficking crime, to wit: Possession of

Marijuana with Intent to Distribute, a violation of 21 U.S.C. § 841(a)(1), as alleged in Count III of this Indictment, which Count is incorporated by reference herein; all in violation of 21 U.S.C. § 843(b).

COUNT VI

18 U.S.C. § 922(a)(6)

(False Statement During Acquisition of Firearms)

On or about June 28, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, in connection with the acquisition of firearms, to wit:

- Smith & Wesson Bodyguard .380 caliber pistol, s/n KAF7034
- Glock 17 9mm pistol, s/n BHSK640
- Glock 22 .40 caliber pistol, s/n BTER637

from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious written statements intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearms, in that he falsely answered “no” on ATF form 4473 asking whether he was an unlawful user of, or addicted to, marijuana, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

COUNT VII

18 U.S.C. § 922(a)(6)

(False Statement During Acquisition of Firearms)

On or about November 5, 2021, in the District of Utah,

PHILLIP MAHE TAUFA,

defendant herein, in connection with the acquisition of firearms, to wit:

- Smith & Wesson Bodyguard .380 caliber pistol, s/n KHV4333
- Smith & Wesson SD40 .40 caliber pistol, s/n FCZ8244

from a licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made false and fictitious written statements intended and likely to deceive the firearm dealer with respect to any fact material to the lawfulness of such acquisition of the firearm, in that he falsely answered "no" on ATF form 4473 asking whether he was an unlawful user of, or addicted to, marijuana, and, as he then knew, his answer was untrue, all in violation of 18 U.S.C. § 922(a)(6), and punishable pursuant to 18 U.S.C. § 924(a)(2).

NOTICE OF INTENT TO SEEK FORFEITURE

Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction for any offense violating 18 U.S.C. § 922 or 924, the defendant shall forfeit to the United States of America any firearm or ammunition involved in or used in the commission of the offense, including but not limited to:

- Springfield Armory Saint 5.56x45mm rifle, s/n ST122016
- CBC 715T .22 rifle, s/n LB3348276
- KOFS Cavalry 12-gauge shotgun, s/n 16010478
- Smith & Wesson M&P 40 .40 caliber pistol, s/n HSS2467
- Ruger SP101 .357 revolver, s/n 575-26402
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KHV4333
- Masterpiece Arms 5.7x28mm rifle, s/n V6021
- Glock 22 Gen5 .40 caliber pistol, s/n BSRD512
- Ruger PC Charger 9mm pistol, s/n 913-35346
- Ruger Ruger-57 5.7 caliber pistol, s/n 642-25203
- Sun City Machinery Co. Stevens 301 20-gauge shotgun, s/n 171356C
- Marlin Firearms Co. 60SB .22 rifle, s/n MN 51007A

- Rossi M62 SAC .22 rifle, s/n G517838
- Marlin Firearms Co. 49 .22 rifle, s/n AC10878
- Davidson Defense DD-15 5.56x45mm pistol, A001408
- Springfield Armory Saint Victor 5.56x45mm pistol, s/n ST408659
- F.N. Five-Seven 5.7 caliber pistol, s/n 386400698
- Smith & Wesson SD40 .40 caliber pistol, s/n FCZ8244
- Taurus GX4 9mm pistol, s/n 1GA24377
- Ruger LCP .380 caliber pistol, s/n 379006038
- Ruger LCP Max .380 caliber pistol, s/n 380929272
- Taurus G3C 9mm pistol, s/n ACD774314
- Ruger LCP Max .380 caliber pistol, s/n 380935590
- Ruger LCP II .380 caliber pistol, s/n 380653549
- Glock 27 Gen5 .40 caliber pistol, s/n AFPP004
- Glock 42 .380 caliber pistol, s/n AAWM482
- Glock 42 .380 caliber pistol, s/n AFKV848
- Keltec P3AT .380 caliber pistol, s/n KKL01
- Taurus Spectrum .380 caliber pistol, s/n 1J005386
- Smith & Wesson Bodyguard .380 caliber pistol, s/n KFH9734
- Ruger LCP Max .380 caliber pistol, s/n 380915516
- Ruger LCP II .380 caliber pistol, s/n 380630774
- Ruger LCP Max .380 caliber pistol, s/n 380935584
- Taurus PT738 TCP .380 caliber pistol, s/n 29794C
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- CZ P-09 9mm pistol, s/n B932116
- Glock 42 .380 caliber pistol, s/n AFRY993
- Ruger LCP .380 caliber pistol, s/n 371019612
- Ammunition

Pursuant to 21 U.S.C. § 853, upon conviction of any offense violating 21 U.S.C. § 841, the defendant shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit,

or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to, the following:

- Springfield Armory Saint 5.56x45mm rifle, s/n ST122016
- CBC 715T .22 rifle, s/n LB3348276
- KOFS Cavalry 12-gauge shotgun, s/n 16010478
- Smith & Wesson M&P 40 .40 caliber pistol, s/n HSS2467
- Ruger SP101 .357 revolver, s/n 575-26402
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- Taurus PT709 Slim 9mm pistol, s/n THM71288
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- CZ P-09 9mm pistol, s/n B932116
- Glock 42 .380 caliber pistol, s/n AFRY993
- Ruger LCP .380 caliber pistol, s/n 371019612
- Ammunition
- \$3,500.00 in US currency

A TRUE BILL:

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FOREPERSON OF GRAND JURY

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